



CERTIFICATE OF MAILING

Attorney Docket No.

A0489-US-NP

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 12/17/2004
Date

Cora M. Utley
Cora M. Utley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Jaan Noolandi et al.

Group Art Unit: 3731

Application No.: 09/740,209

Examiner: Glenn K. Dawson

Filed: December 18, 2000

Confirmation No.: 4337

For: INHALER THAT USES FOCUSED ACOUSTIC WAVES TO DELIVER A PHARMACEUTICAL PRODUCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

12/21/2004 JADD01 00000022 240025 09740209
01 FC:1806 180.00 DA

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) and information listed on the attached PTO-1449 Form. One legible copy of each is attached to the PTO-1449 Form, except for U.S. Patents, or published or IFW (Image File Wrapper) available U.S. applications. It is respectfully requested that the references and information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of the above application (excluding an RCE), **OR** (b) before the mailing date of a first Office Action on the merits (including an RCE). *No certification or fee is required.*
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date **AND** after the date of the first Office Action on the merits, but before the mailing date of a Final Rejection, Notice of Allowance, or other action that closes prosecution. Please debit Xerox Corporation Deposit Account 24-0025 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). *(A copy of this paper is attached.)*
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance; **AND**
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); **(OR)**

- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c), more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2)
- ☐ 4. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection or Notice of Allowance, but before the payment of the Issue Fee. Please debit Xerox Corporation Deposit Account 24-0025 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p) (*A copy of this paper is attached*); **AND**
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); **(OR)**
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2)
- ☐ 5. Per 37 C.F.R. 1.98(a)(3), a concise explanation of the relevance of each of any submitted item that is NOT in the English language is either enclosed herewith, or incorporated in the application specification.
- ☐ 6. A copy of an English language version of an above-referenced counterpart foreign application search report is attached.
- ☐ 7. Copies of some or all of the subject references were cited or submitted to the Office in related parent Application No. _____, filed _____, which is relied upon under 35 U.S.C. §120. Thus, copies of those references are not attached (except for copies of cited pending applications). 37 C.F.R. §1.98(d).



Kent M. Chen

Signature under 37 CFR 1.33 & 34

Registration No. 39,630

Telephone No. 310-333-3663

Date December 17, 2004

Customer No.: 35490

Form PTO-1449

US Dept. of Commerce
PATENT & TRADEMARK OFFICEATTY DOCKET NO.
A0489-US-NPAPPLICATION NO.
09/740,209INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANT Jaan Noolandi et al.

FILING DATE 12/18/2000

GROUP ART UNIT 3731

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE	CLASS	SUB CLASS
	3,387,607	06/1968	Gauthier, et al.	128	200
	3,433,461	03/1969	Scarpa	128	200.16
	4,044,273	08/1977	Kanda, et al.	310	335
	4,424,465	01/1984	Ohigashi, et al.	310	335
	4,976,259	12/1990	Higson, et al.	128	200.18
	5,485,928	01/1996	Hauser	128	200.16
	5,497,763	03/1996	Lloyd, et al.	128	200.14
	5,565,113	10/1996	Hadimioglu, et al.	216	2
	5,803,099	09/1998	Sakuta, et al.	134	105
	5,855,203	01/1999	Matter	128	207
	6,014,970	01/2000	Ivri, et al.	128	200
	6,120,449	09/2000	Snyder, et al.	600	447
	6,182,655	02/2001	Keller, et al.	128	203
	6,200,491	03/2001	Zesch, et al.	216	27
	6,328,421	12/2001	Kojima, et al.	347	46

FOREIGN PATENT DOCUMENTS

	COUNTRY	DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	TRANSLATION Y/N

OTHER DOCUMENTS (Including Author (in CAPS), Title, Publication Date, Pages, etc.)

EXAMINER	DATE CONSIDERED
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	